THE BLACK DOG.

A NIGHT OF SPECTRAL TERROR.

There was a ceaseless rumble in the air as the heavy rain-drops battered upon the laurel-thickets and the matted moss and haggard rocks beneath. Four water-soaked men made their difficult ways through the drenched forest. The little man stopped and shook an angry finger at where night was stealthily following them. "Cursed be fate and her children and her children's children! We are everlastingly lost!" he cried. The panting procession halted under some dripping, drooping hemlocks and swore in wrathful astonishment.

"It will rain for forty days and forty nights," said the pudgy man, moaningly, "and I feel like a wet loaf of bread, now. We shall never find our way out of this wilderness until I am made into a porridge."

In desperation, they started again to drag their listless bodies through the watery bushes. After a time, the clouds withdrew from above them and great winds came from concealment and went sweeping and swirling among the trees. Night also came very near and menaced the wanderers with darkness. The little man had determination in his legs. He scrambled among the thickets and made desperate attempts to find a path or road. As he climbed a hillock, he espied a small clearing upon which sat desolation and a venerable house, wept over by wind-waved pines.

"Ho," he cried, "here's a house."

His companions straggled painfully after him as he fought the thickets between him and the cabin. At their approach, the wind frenziedly opposed them and skirled madly in the trees. The little man boldly confronted the weird glances from the crannies of the cabin and rapped on the door. A score of timbers answered with groans and, within, something fell to the floor with a clang.

"Ho," said the little man. He stepped back a few paces.

Somebody in a distant part started and walked across the floor toward the door with an ominous step. A slate-colored man appeared. He was dressed in a ragged shirt and trousers, the latter stuffed into his boots. Large tears were falling from his eyes.

"How-d'-do, my friend?" said the little man, affably.

"My ol' uncle, Jim Crocker, he's sick ter death," replied the slate-colored person.

"Ho," said the little man. "Is that so?"

The latter's clothing clung desperately to him and water sogged in his boots. He stood patiently on one foot for a time.

"Can you put us up here until to-morrow?" he asked, finally.

"Yes," said the slate-colored man.

The party passed into a little unwashed room, inhabited by a stove, a stairway, a few precarious chairs and a misshapen table.

"I'll fry yer some po'k and make yer some coffee," said the slate-colored man to his guests.

"Go ahead, old boy," cried the little man cheerfully from where he sat on the table, smoking his pipe and dangling his legs.

"My ol' uncle, Jim Crocker, he's sick ter death," said the slate-colored man.

"Think he'll die?" asked the pudgy man, gently.

"No!"

"No?"

"He won't die! He's an ol' man, but he won't die, yit! The black dorg hain't been around yit!"

"The black dog?" said the little man, feebly. He struggled with himself for a moment.

"What's the black dog?" he asked at last.

"He's a sperrit," said the slate-colored man in a voice of sombre hue.

"Oh, he is? Well?"

"He hants these parts, he does, an' when people are goin' to die, he comes and sets and howls."

"Ho," said the little man. He looked out of the window and saw night making a million shadows.

The little man moved his legs nervously.

"I don't believe in these things," said he, addressing the slate-colored man, who was scuffling with a side of pork.

"Wot things?" came incoherently from the combatant.

"Oh, these-er-phantoms and ghosts and what not. All rot, I say."

"That's because you have merely a stomach and no soul," grunted the pudgy man.

"Ho, old pudgkins!" replied the little man. His back curved with passion. A tempest of wrath was in the pudgy man's eye. The final epithet used by the little man was a carefully-studied insult, always brought forth at a crisis. They quarrelled.

"All right, pudgkins, bring on your phantom," cried the little man in conclusion.

His stout companion's wrath was too huge for words. The little man smiled triumphantly. He had staked his opponent's reputation.

The visitors sat silent. The slate-colored man moved about in a small personal atmosphere of gloom.

Suddenly, a strange cry came to their ears from somewhere. It was a low, trembling call which made the little man quake privately in his shoes. The slate-colored man bounded at the stairway, and disappeared with a flash of legs through a hole in the ceiling. The party below heard two voices in conversation, one belonging to the slate-colored man, and the other in the quivering tones of age. Directly the slate-colored man reappeared from above and said: "The ol' man is took bad for his supper."

He hurriedly prepared a mixture with hot water, salt and beef. Beef-tea, it might be called. He disappeared again. Once more the party below heard, vaguely, talking over their heads. The voice of age arose to a shriek.

"Open the window, fool! Do you think I can live in teh smell of your soup?"

Mutterings by the slate-colored man and the creaking of a window were heard.

The slate-colored man stumbled down the stairs, and said with intense gloom, "The black dorg'll be along soon."

The little man started, and the pudgy man sneered at him. They ate a supper and then sat waiting. The pudgy man listened so palpably that the little man wished to kill him. The wood-fire became excited and sputtered frantically. Without a thousand spirits of the winds had become entangled in the pine branches and were lowly pleading to be loosened. The slate-colored man tiptoed across the room and lit a timid candle. The men sat waiting.

The phantom dog lay cuddled to a round bundle, asleep down the roadway against the windward side of an old shanty. The spectre's master had moved to Pike County. But the dog lingered as a friend might linger at the tomb of a friend. His fur was like a suit of old clothes. His jowls hung and flopped, exposing his teeth. Yellow famine was in his eyes. The wind-rocked shanty groaned and muttered, but the dog slept. Suddenly, however, he got up and shambled to the roadway. He cast a long glance from his hungry, despairing eyes in the direction of the venerable house. The breeze came full to his nostrils. He threw back his head and gave a long, low howl and started intently up the road. Maybe he smelled a dead man.

The group around the fire in the venerable house were listening and waiting. The atmosphere of the room was tense. The slate-colored man's face was twitching and his drabbed hands were gripped together. The little man was continually looking behind his chair. Upon the countenance of the pudgy man appeared conceit for an approaching triumph over the little man, mingled with apprehension for his own safety. Five pipes glowed as rivals of the timid candle. Profound silence drooped heavily over them. Finally the slate-colored man spoke.

"My ol' uncle, Jim Crocker, he's sick ter death."

The four men started and then shrank back in their chairs.

"Damn it!" replied the little man, vaguely.

Again there was a long silence. Suddenly it was broken by a wild cry from the room above. It was a shriek that struck upon them with appalling swiftness, like a flash of lightning. The walls whirled and the floor rumbled. It brought the men together with a rush. They huddled in a heap and stared at the white terror in each other's faces. The slate-colored man grasped the candle and flared it above his head. "The black dorg," he howled, and plunged at the stairway. The maddened four men followed frantically, for it is better to be in the presence of the awful than only within hearing.

Their ears still quivering with the shriek, they bounded through the hole in the ceiling, and into the sick room.

With quilts drawn closely to his shrunken breast for a shield, his bony hand gripping the cover, an old man lay, with glazing eyes fixed on the open window. His throat gurgled and a froth appeared at his mouth.

From the outer darkness came a strange, unnatural wail, burdened with weight of death and each note filled with foreboding. It was the song of the spectral dog.

"God!" screamed the little man. He ran to the open window. He could see nothing at first save the pine-trees, engaged in a furious combat tossing back and forth and struggling. The moon was peeping cautiously over the rims of some black clouds. But the chant of the phantom guided the little man's eyes, and he at length perceived its shadowy form on the ground under the window. He fell away gasping at the sight. The pudgy man crouched in a corner, chattering insanely. The slate-colored man, in his fear, crooked his legs and looked like a hideous Chinese idol. The man upon the bed was turned to stone, save the froth, which pulsated.

In the final struggle, terror will fight the inevitable. The little man roared maniacal curses, and, rushing again to the window, began to throw various articles at the spectre.

A mug, a plate, a knife, a fork, all crashed or clanged on the ground, but the song of the spectre continued. The bowl of beef-tea followed. As it struck the ground the phantom ceased its cry.

The men in the chamber sank limply against the walls, with the unearthly wail still ringing in their ears and the fear unfaded from their eyes. They waited again.

The little man felt his nerves vibrate. Destruction was better than another wait. He grasped a candle and, going to the window, held it over his head and looked out.

"Ho!" he said.

His companions crawled to the window and peered out with him.

"He's eatin' the beef-tea," said the slate-colored man, faintly.

"The damn dog was hungry," said the pudgy man.

"There's your phantom," said the little man to the pudgy man.

On the bed, the old man lay dead. Without, the spectre was wagging its tail.

AN IMPROVED BASEBALL TEAM.

THE GIANTS TRYING HARD TO DO BETTER WORK.

One is able to gratify ambition so seldom, that when a person happily accomplishes his object, he is at least satisfied with himself and the world at large. When the round-faced, good-natured P. T. Powers took charge of the New-York team to fill the shoes made famous by James Mutrie, Powers's ambition was to secure a team for New-York especially strong in base-running, and if fate and the settlement of the baseball war had not been against him, he would undoubtedly have accomplished his object. He had secured Taylor and Jennings, of the Louisville club, felt certain that he would get Kelly, and be able to hold on to Daniel Richardson. These men, with the other players he afterward secured, would unquestionably have given this city one of the fastest teams which ever represented the metropolis. When the League and American Association consolidated, Taylor and Jennings had to be surrendered to Louisville. Then Richardson was taken to strengthen one of the weak teams, a senseless opposition deprived New-York of Kelly's services, and Powers was forced to do the best he could with the material at hand. He was not satisfied with the team at the start, and the result in the first series was not a surprise. Powers never believed in a "slugging" team, always maintaining that a lively fielding and fast base-running team not only played a more interesting game, but that it would win in the end. The success of the Boston team, with not an actual slugger on the team, bears out Powers's reasoning.

The first season had hardly started before it was apparent to everybody that the New-York team, as then constituted, could not hope to win the championship. Team-work seemed to be an unknown quality, and every player seemed to be working for personal advancement without regard to the success of the team. Jealousy was rampant, and the wretched record of the team was the result. Now things have changed, and the local team may yet make a record in the new race. As at present made up, the team cannot do worse than the old one, and the chances are that it will do much better. The players will at least show interest in their work and make an honest endeavor to earn their salaries. It was said that if Gore was released every team in the country would scramble over one another in an effort to sign him. Yet the fact is that Gore is still on the market. The young players secured by the local team are doing good work, with a promise of doing even better. Other men will be secured from time to time, and patrons at the Polo Grounds may feel assured of not having to witness careless playing, at any rate, even if the home team does not win.

The Western teams will wind up their present series in the East on Thursday and then go home. The Cincinnati and Cleveland teams are showing up in better form than any of the other nines from the West, and they are likely to be the only ones to trouble the Eastern nines. The New-York team will be at home all week, playing the Cleveland nine at the Polo Grounds on Monday and Tuesday, the Louisville nine on Wednesday and Thursday, and the Brooklyn nine on Friday and Saturday. The schedule for the week is as follows:

Monday—New-York vs. Cleveland, at Polo Grounds, New-York; Brooklyn vs. Pittsburg, at Eastern Park, Brooklyn; Boston vs. Louisville, at Boston; Philadelphia vs. Cincinnati, at Philadelphia; Baltimore vs. Chicago, at Baltimore; Washington vs. St. Louis, at Washington.

Tuesday—New-York vs. Cleveland, at Polo Grounds, New-York; Brooklyn vs. Pittsburg, at Eastern Park, Brooklyn; Washington vs. St. Louis, at Washington; Baltimore vs. Chicago, at Baltimore; Philadelphia vs. Cincinnati, at Philadelphia; Boston vs. Louisville, at Boston.

Wednesday—New-York vs. Louisville, at Polo Grounds, New-York; Brooklyn vs. Cleveland, at Eastern Park, Brooklyn; Boston vs. Cincinnati, at Boston; Philadelphia vs. Pittsburg, at Philadelphia; Baltimore vs. St. Louis, at Baltimore; Washington vs. Chicago, at Washington.

Thursday—New-York vs. Louisville, at Polo Grounds, New-York; Brooklyn vs. Cleveland, at Eastern Park, Brooklyn; Washington vs. Chicago, at Washington; Baltimore vs. St. Louis, at Baltimore; Philadelphia vs. Pittsburg, at Philadelphia; Boston vs. Cincinnati, at Boston.

Friday—New-York vs. Brooklyn, at Polo Grounds, New-York; Boston vs. Philadelphia, at Boston; Washington vs. Baltimore, at Washington; Pittsburg vs. Louisville, at Pittsburg; Cleveland vs. Chicago, at Cleveland; Cincinnati vs. St. Louis, at Cincinnati.

Saturday—New-York vs. Brooklyn, at Polo Grounds, New-York; Cincinnati vs. St. Louis, at Cincinnati; Cleveland vs. Chicago, at Cleveland; Pittsburg vs. Louisville, at Pittsburg; Washington vs. Baltimore, at Washington; Boston vs. Philadelphia, at Boston.

NATIONAL GUARD AFFAIRS.

THE DEATH OF DR. FULLER—LIEUTENANT-COLONEL KING MAY GO TO THE 12TH REGIMENT.

The death of Dr. F. C. Fuller, of Troop A, is a loss which will be keenly felt by that organization. He was one of the strongest and most agile members of Captain Roe's command, and took an active part in every undertaking of the troop. Dr. Fuller was riding one horse, with nothing except a halter to guide it, and was leading another to water while the troop was at the State Camp. The horse which was being led tried to kick the one which was being ridden, and instead of doing so the hoof struck Dr. Fuller's leg just below the knee and broke both the bones of the leg. Dr. Fuller felt the pain, but did not know that the leg had been broken, so he jumped to the ground. Naturally he fell where he landed, and then he called for help. When his comrades came he showed his pluck by himself climbing on the stretcher. He was sent to his home in this city, and after lingering for more than two weeks, he died on last Tuesday. Nearly all the members of the troop attended his funeral.

Dr. Fuller's name was brought prominently before the public about a year ago in consequence of a suit which he brought against his young wife for an absolute divorce, and named ex-Judge Leicester Holme as co-respondent. The circumstances were peculiar for the reason that Dr. Fuller was still his wife's guardian at the time the suit was brought, she still being a minor. Mrs. Fuller had considerable property in her own right when married, which she had inherited from her father. Her husband was appointed her guardian, and when he began the suit for a divorce she made an application for his removal. He immediately resigned his trust and satisfactorily accounted for the property which had been left in his charge. When the suit was tried the complaint was dismissed, the Judge declaring the charges had not been proved.

A rumor has been circulated that the 22d Regiment was about to lose an excellent officer, and that the 12th Regiment was to be the gainer. These rumors have been connected with the name of Lieutenant-Colonel William V. King. He was formerly an officer in the 12th, and no doubt the members of that organization would be pleased to have him return. The loss would be felt keenly by the 22d if Colonel King should decide to go back to the 12th, and the probabilities are that he will remain with "Defendam."

Colonel Greene and the other officers and men in the 71st Regiment are to be congratulated on the fact that work on what promises to be by far the finest armory in the city, with the possible exception of the building occupied by the 7th Regiment, is advancing as well as can be expected. The 2d Battery will be housed in the same building and the First Brigade headquarters will be there also. The new armory will consequently be the most prominent place in the city, so far as military affairs go.

The members of the different teams who intend to compete for the State and brigade trophies at Creedmoor on September 3 have already begun their active practice. Considerable interest is felt in these matches this season, partly for the reason that they are the only matches which will be shot on the Creedmoor range this fall. The rivalry between the 7th and 23d Regiments promises to be more spirited than ever, and if the New-York men are beaten it will certainly not be the fault of Captain Palmer, the inspector of rifle practice in the 7th.

WORK OF THE TROTTERS.

A SEASON OF PROMINENT PACERS.

THE FLEET NIGHTINGALE—NOTES ABOUT OTHER HORSES.

This promises to be another season of triumph for the pacers, or at least the lateral-gaited performers will be more prominent than before in the campaign now fully under way in all parts of the country. Kentucky is about the only State where the speedy rival of the trotter has not won his way to popular favor, but whether they will or no, the breeders of the Blue Grass country find their best stock liable to produce the objectionable gait. Nutwood, the sire whose speed roll is larger than that of any horse bred in the State, has for his fastest performer the pacer Manager; and Belmont, the stout old hero of Woodburn Farm, set the example for his son when he was mated with a mare by Blue Bull, the result being Fred Arthur, a natural pacer with a record of 2:14 1-4, several seconds below what the Belmont trotters were able to do. If the Kentuckians could have their way there would be no sidewheelers among harness racers, and while other important meetings allot a third or more of the programme to them, the six days of the Kentucky Trotting Horse Breeders' Association last October had only three pacing classes out of the twenty-one contests during the week at Lexington. Even here, however, the ambitious pacer carried off the honors for fast heats, Allerton being the only trotter to put in a single one below the best time made by a "wriggler" when he stepped the first mile of his duel with Delmarch in 2:13 1-4. This was a quarter of a second better than the time made by Bunco, jr. the next day, but the average of the thirteen heats which the lateral-gaited "cracks" put in was far below the rate for those trotted.

Senator Stanford has a strong objection to the pace, yet one of the get of Electioneer eluded his vigilance and scored 2:23 1-2 at that gait, and in the second generation the same thing crops out. Two colts by Chimes, now in training, incline to that way of going, Chimes Boy having at last been induced to trot, but Merry Chimes adheres to the side-motion, and at Detroit last Tuesday showed in his first public appearance that he will score a fast mark this season, as he was second to Flying Jib in 2:15.

Before General B. F. Tracy was called to a place in the Cabinet he gave much thought to breeding, and whenever his extensive practice in Brooklyn would permit, the lawyer boarded a flyer on the Erie road, and stopping at Owego, spent a day or two on his stock-farm at Apalachin, where he had some carefully selected stock. On one of these occasions the writer met him just before the beginning of the Grand Circuit of 1888 at Cleveland. John H. Shults, the millionaire baker of Brooklyn, had just bought Arrow for a long price in California, and his meeting with Gossip, Jr., Jewett and other noted side-wheelers of the East over the fast track at Glenville was attracting much attention.

"I like to see a good race as well as anybody," said General Tracy, "but I have no use for a pacer, and consider it a black mark against a trotting sire every time one of his get makes a record at that gait." A moment later he added: "But for all that my own stallion Kentucky Wilkes has youngsters that incline to pace, and there seems to be no help for it." Whether the Secretary of the Navy carried his objection to the extent of preventing these youthful pacers from getting on the turf or not, there are no fast ones credited to Kentucky Wilkes, his list up to the end of 1891 being all trotters. However, his full brother Madison Wilkes is responsible for Linden, one of the best side-wheelers out this year, with a creditable campaign in the Atlantic Circuit and a record of 2:16 1-4, with an ordinary trainer to handle him. The four occasions on which this young stallion met Rebus, a Kentucky bred gelding, furnished some of the best sport seen this year, and, though Linden was defeated three times, every contest lasted for five or six heats and the Wilkes pacer was always the contending horse throughout. The hottest battle between the pair was the feature of the Grand Circuit beginning at Philadelphia, and nothing but a series of blunders on the part of an inexperienced driver enabled Rebus to carry off the Bingham House Stake. As it was the gelding had to take a record of 2:15 3-4 and when he staggered home a short neck ahead of Linden in the sixth heat the latter was much the fresher of the two and should never have been beaten.

It is from the West, however, that the fleetest pacers come, and the Blue Ribbon meeting just ended at Detroit furnished a line on the good ones now on the turf. The slow classes are about as difficult as the free-for-all, and such new sensations as Flying Jib and Robert J. seem fit to cope with almost any of the older campaigners. The gelding with the nautical name gives promise of being as much of a runner as Direct was after he cut loose last July at Cleveland, though it is doubtful if the other Californian will get down to the form of a champion. He is a much larger horse and of attractive appearance, with the sort of breeding that entitles him to improve. Algona, the sire of Flying Jib, is a strongly bred son of Almont, and the pacer's dam, Middletown Mare, has already produced the fast mare Warrina, now owned in Massachusetts, where she won some races last season and got a record of 2:25. Her brother seems to have a much greater flight of speed, as his mile in 2:15 last Tuesday showed. George Starr, who has a stable made up of stock owned all along the Pacific Coast, had a lot of trouble getting this member of it at all trustworthy, but he could have driven him a second or more faster in the third heat at Detroit, when he set out to get an extra $500 for a mile below 2:15. It is no new thing for a driver to carry a watch, but few of them can drive accurately and attend to the race as well. Starr thought he was beating 2:15 by at least half a second, and his timer stopped at 2:14 1-2, but the officials had it just 2:15, and that was undoubtedly correct.

Besides Mascot the speedy bay gelding from Buffalo, winner of the free-for-all on Wednesday, and Grant's Abdallah, the stallion that paced the best heat of the year in 2:12 1-2, there are several other cracks that will make this open class as interesting as when the "big four" came down the line in the seventies, or when Hal Pointer, Yolo Maid, Johnston and Dallas were the stars of last season. Hal Pointer's mile in 2:08 1-2 at Detroit last Wednesday morning proves that he has all his wonderful speed, and Direct is also getting rapidly into form. The two giants resume the rivalry begun at Terre Haute last October, in the Grand Circuit week at Buffalo, and then go to Grand Rapids to open the big programme at the ambitious Michigan city. From there they are under similar engagement at Chicago, and following the visit to the Illinois metropolis will probably be in Ohio, at Chillicothe and Columbus, during the latter part of August. If nothing happens to either of these whirlwinds, the race record of 2:08 will not stand long, and the high-water mark of 2:06 is likely to be changed at least a second.

The word Nightingale seems a good one to conjure with for large trotting stakes, as the last $10,000 contest of 1891, and the first of this year have gone to mares bearing that name. There was a marked difference, however, between the one-sided contest for the Merchants and Manufacturers' at Detroit and the stubborn fight at Hartford last August, over the Charter Oak stake. The Nightingale that conquered a big field after eight hard heats, and came out the next day fresh for the deciding mile, made a lasting reputation by her gameness and emphasized the success which C. J. Hamlin has met in his efforts to breed race-horses.

Her namesake is a year older, and through her sire, Osgood's Patchen, has plenty of stout blood coming from Enfield, his grandsire, and his dam Maggie by Mambrino Patchen, out of the Morgan mare Molly. In the maternal line Nightingale traces to Mambrino Chief and Almont, her dam Mabel being still owned at Toledo, where she was bred by James Dority. After his death the mare became the property of D. B. Anderson, a paper manufacturer, at Franklin, Ohio, and he in common with several business associates, owns the stake winner. Though Nightingale was first handled by Ben Cooper, a somewhat notorious driver of Erie, Mich., the credit of her turf education belongs to John Pickett, a trainer now at Franklin. Cooper shot another man in a quarrel at Toledo and is now serving a ten years' sentence, and the black filly got into better hands. Pickett took charge of her when she was four years old, and with two weeks' handling drove her in 2:42 1-2. She was started in 1889, a trainer named Purvis having her that season, and won two of her four races getting a record of 2:39. The next year she was sent back to Pickett and out of eleven engagements was successful in eight, besides getting a share of the money in the other three.

At Bowling Green, Ohio, in October, 1890, Nightingale trotted in 2:29 1-4, her best performance at six years.

Last season the mare was out of form till it was well advanced, yet out of eleven starts she was only unplaced twice, and won first money three times. At Goshen, Ind., she scored a mark of 2:27 in the third heat, late in September. Up to this year the only appearance Nightingale had made at an important meeting was in the midsummer carnival for the sulkies at Independence last August, where she stood fifth in the summary of the 2:30 class won by the Iowa "crack," Pat Dowling.

The campaign of 1892 has been much more brilliant, for up to the present the mare has not lost a heat, her victories previous to her appearance at Detroit being at her home in Franklin, besides three over Indiana tracks at Peru, Elkhart and Fort Wayne. At the last named Nightingale first showed her ability to beat 2:20 when the Kentucky stallion, H. C. T., forced her to trot a second heat in 2:19 1-4. Nightingale is a substantial looking mare of about 15.3 hands, and when she landed the big prize last Tuesday wore a pair of four-ounce toe-weights with front shoes of seven ounces. When broken she was inclined to pace or be "double gaited," and it required a pound shoe and a six-ounce weight to balance her. Pickett has worked faithfully to get this heavy leverage reduced, and his efforts have improved the mare so that she has been relieved of the heavy burden which has ruined many a promising trotter.

As the trainers who have been at Detroit and Pittsburg unite at Cleveland for the third meeting of the Grand Circuit, the rate of speed necessary to success will doubtless be high. Nightingale herself can scarcely continue her conquering career without improving on the mile in 2:17 1-2 at Detroit, though she should be equal to that on the elastic course at Glenville. The California flyers are rapidly getting into form, and with such clever reinsmen as John A. Goldsmith, Orrin Hickok and George Starr are sure to be prominent wherever they start. Hazel Wilkes, the best of Goldsmith's string, has not been on the turf since 1890 till this season, but as she made Homestake go three heats in 2:18, 2:14 1-2 and 2:14 1-4 at Napa, nearly two years ago, she is pretty likely to give a good account of herself on this side of the mountains.

FROM BENCH AND BAR.

GATHERED FROM LAWYERS AND AMONG THE COURTS.

The nomination of George Shiras, as Associate Justice of the Supreme Court, is popular among the lawyers. The custom has been usually to select as justices of the highest courts those who have filled judicial offices in the state, or lower United States courts. The highest judicial positions have not frequently been given to busy lawyers, so that the reward of industrious and successful practice of the law has not usually been the appointment to high office. Many judges who have been for many years on the bench and who have obtained high distinction have had little experience at the bar. Some of these have not been entirely successful in their official positions, but most of them have successfully overcome the lack of early practice at the bar. Mr. Shiras has been among those fortunate lawyers who have had a large practice and a lucrative one, and he is probably well able to retire to the honorable but insufficiently paid office to which he has been nominated. If his appointment is confirmed, there will be the unique spectacle of three judges serving in the highest court of the United States who were all at one time students together in the same college.

Of those judges who are now on the Supreme Court bench, Justices Gray, Brewer, Blatchford and Brown have had many years' experience in the United States Courts, and they secured their places by promotion from the lower Federal bench. Justice Field was the judge of a high State court, and Justice Harlan was for a short time a judge of a Kentucky county court. Chief Justice Fuller and Justice Lamar filled no judicial places previous to their appointment to the Supreme Court bench. Justice Lamar had little practice as a lawyer, besides having no experience as a judge. Chief Justice Fuller's appointment was an example of taking a judge from the ranks of busy and successful practitioners. President Harrison, in most of his previous appointments, has selected those who had had judicial training for the judgeships within his gift.

The death of ex-Judge Danforth was announced last week, and probably many readers of the newspapers thought at first that the person referred to was the late Judge of the Court of Appeals, George F. Danforth. It was, however, a less well-known lawyer, Peter S. Danforth, who had a considerable practice and at one time filled a judicial office, but who was not as widely known throughout the State as Judge Danforth, of the Court of Appeals. Peter S. Danforth was appointed in 1872 as a Judge of the Supreme Court, but served only for a year or two. He was a well-known resident of Schoharie County and held some political offices in his earlier years. He was a classmate of Judge John K. Porter and was for a time associated with Marcus T. Reynolds, who many years ago was one of the leaders of the Appellate Bar of the State. State Treasurer Elliot Danforth is a son of the Judge Danforth who has just died. Peter S. Danforth's reputation in his own county was high and he had many friends among the lawyers in other parts of the State.

An opinion by Judge Davy, of the Supreme Court, in Monroe County, will, if it is followed by similar opinions of the General Term and the Court of Appeals, limit considerably the powers heretofore exercised by judges in the criminal courts. It has been the practice in cases where the offence committed was the first crime of the defendant, and imprisonment would be more likely to injure the accused person than to do him good, to allow the defendant to go at liberty after a plea of guilty, and to be cared for by his relatives and friends. Judge Davy holds that the criminal courts have no right to suspend judgment as they have frequently done and release defendants. He says that the law requires that sentence be pronounced in every case. The case in which the decision was rendered was one in which two Sessions Judges thought the defendant should be discharged under a suspension of sentence, while the presiding judge thought that he should be sent to the Elmira Reformatory. The District-Attorney asked that sentence be pronounced, and when the two judges refused to pronounce sentence he procured a mandamus from Judge Davy compelling the judges to act. Judge Davy's opinion has not thus far been followed by the judges of this city and Brooklyn. They have held that the law does not absolutely compel a judge to pronounce sentence, but that he has the right if he thinks the interests of justice demand to postpone the sentence for an indefinite time and release the defendant. The right of suspending sentence has been considered to be inherent in the court, and it has been exercised as long almost as courts have been in existence, and until Judge Davy's opinion is supported by that of the Appellate Court it will probably not lead to a discontinuance of a long-established custom.

An interesting decision of the Supreme Court, General Term, which will probably not be final as the case ought certainly to go to the Court of Appeals, was published in "The Law Journal" last week. It concerned the duty of the teller of a savings bank in identifying the person who presents a pass-book and endeavors to draw money on it. In the case considered a man had deposited money in a savings bank, and some years after the deposits had been made a person presented the book and endeavored to draw the money. The signature to the check was not exactly similar to that made in the bank's signature book, and the discrepancy was sufficient to lead the paying teller to ask the person who attempted to draw the money some questions as to his age, birthplace, and the time when he had come to the country, and to compare the answers with those made when the account was opened by the depositor. The answers were correctly given, but several questions which would have instructed the paying teller as to the identity of the person who presented the check were not asked, so that the bank official did not obtain all the information which he might have had. Judge O'Brien, who writes the prevailing opinion, and Chief Justice Van Brunt hold that the bank took reasonable care in making the payment, but Judge Andrews thinks that greater care might well have been used. The person to whom payment was made was not the depositor, but one who had obtained possession of the bank book, and afterward secured from the depositor, by a trick, some information such as would enable him to answer the questions which would probably be put to him when he sought to obtain the money. The courts have held that when a bank book is presented, even although the rules of the bank do not require any further inquiry, yet the paying teller or other official must satisfy himself by inquiry, and be reasonably careful, or the bank will be held liable for a payment to any other than the owner of the money.

The recent reports of decisions in this State contain an unusually large number of statements of fraud and undue influence in obtaining deeds, and the courts have shown a great desire to do abstract justice by setting aside such deeds. In the Sistare case the General Term of the Supreme Court, not long ago, set aside the deed which had been obtained from Mrs. Margaret Sistare by her husband. Arrangements had been made by her husband to secure the transfer, and while his wife was entertaining a caller at her house he called her aside for a moment and induced her to sign a paper conveying the property. Under the circumstances the judge thought that undue influence had been used by the husband. A more recent decision in the Court of Appeals arose from the giving of a deed by some young people to their aunt, with whom they lived and in whom they had the utmost confidence. They also knew and trusted the attorney who accompanied the aunt and they did not carefully read the documents submitted to them. The deed was set aside. In a case decided in the New-York Court of Common Pleas, at General Term, the deed had been made by a client to his attorney. In this case the conveyance was upheld because it appeared that no fraud was intended and the client was indebted to the attorney for services rendered. The lower court had given a judgment setting the conveyance aside, but the General Term reversed the judgment. It was held, however, as it has frequently been held in other cases, that because of the relation between an attorney and a client any transaction between them in which the interests of the client are betrayed is supposed to be fraudulent and void until the contrary is shown. The same principle seems to have been applied to the relations between husband and wife, and others in which the person benefited has a commanding influence by reason of relationship or position over the person from whom the property is taken.

HE CAUGHT AN ALBINO TROUT.

Frederick Telver, a resident of Dover, N. J., caught a peculiar fish in the Rockaway River, near his house, the other day. It is called by old fishermen an "albino trout," and the name seems to be an appropriate one. The fish was 10½ inches long, and had the shape and all the brilliant speckled markings of a trout. Its main color was pure white, however, and scales of considerable size covered its sides. The inside of its mouth was also a clear white, while that of a trout is invariably black. The veteran anglers say that such fish have been caught before, and that "albino trout" is the proper name for them.

REPUBLICANISM IN HARLEM.

THE WORK OF ORGANIZATION THERE.

GROWING CLUBS ON ALL SIDES—CARRYING THE WAR INTO AFRICA.

Never before in the political history of Harlem has the Republican organization in that part of the city been so perfect as it is at the present time, and never before have the Republicans entered upon a campaign with such confidence and with such good grounds for belief in victory at the polls in November. On both the east and west sides of Harlem the work of organizing clubs and perfecting campaign arrangements has been going on quietly and steadily for over a year, and now the effect of this careful ground-work is seen in the extraordinary vigor and earnestness with which the Republican clubs are carrying on the campaign.

In what is now the old XXIIId Assembly District there are more Republican clubs than ever before, and what is more, these clubs are working with a will for the success of the Republican doctrine of protection to American homes and American labor. One of the most noticeable features of this new club growth is that every club has a specific work to do and no other club is expected to do it but the one especially assigned to it, the result being that one club and no other is responsible for that work. In the old XXIIId Assembly District alone there are no less than twelve separate and distinct Republican clubs besides the regular Republican organization of that district, all of which are working in perfect harmony with the central organization. Each of these clubs covers some specified part of the district or some particular class of citizens, and each is prosecuting its work with the zeal and the energy which come from the consciousness that each club and nobody else is responsible for that work, and that all the clubs are working together for a common end.

The west end of the old XXIIId Assembly District, which may be called the aristocratic quarter, is ably covered by the solid Harlem Republican Club, the headquarters of which is at Nos. 145 and 147 West One-hundred-and-twenty-fifth st. This club made a record for itself during the campaign of 1888 of which it may well be proud, but at that time it was only one year old. Now that it has attained the age of five years, and has many times doubled its original membership and strength, it is in a position to make a greater sensation than it did in 1888, and, furthermore, it proposes to do so. This club takes in the most intelligent and influential citizens of Harlem, and its power is great and far-reaching. Its Campaign Committee for 1892 has been selected with great care and is composed of some of the ablest and most experienced political managers in the city, and the plan of campaign which it has marked out is most comprehensive in its scope and effectiveness. No club could possibly be organized that is more capable of reaching the intelligent voter in that part of Harlem than the Harlem Republican Club, and the club is setting about the task of redeeming its Assembly District in a way that shows plainly enough that it "knows its business." Republicans may rest assured that this part of the old XXIIId Assembly District will be properly looked after by the Harlem Republican Club, and they are perfectly safe in leaving it entirely in the hands of this solid organization.

At One-hundred-and-twenty-fifth st. and Third-ave., will be found the newly organized and incorporated Union Republican Club of Harlem with its membership of over 500, and although not over four months old it has already taken steps to build a handsome clubhouse. This club embraces some of the hardest working Republicans in the city. They are hard fighters and have had an uphill fight. This part of the old XXIIId Assembly District is a hotbed of the Democracy, and the leaders of the club have had to do some "tall hustling" to live; but their magnificent roll of membership of over 500 is a significant monument of their grit as political fighters and their daring and dash in entering an overwhelming Democratic district and attacking the enemy in his stronghold. Anyone who has attempted to organize a Republican club in a Democratic district in New-York City knows well enough that it is no joke. It is full of hard knocks and hard work in the face of most discouraging prospects. That these men have succeeded in their efforts in this line, and have built up this vigorous Union Club in a strong Democratic district, is the best possible compliment to them. It is safe to say that this part of the old XXIIId Assembly District can be left in no better hands than in those of the Union Republican Club.

Half a mile down Third-ave., at One-hundred-and-tenth-st., is the citadel of Democracy in the XXIIId Assembly District, and it is right here that the most significant cluster of Republican clubs has sprung up within the last ten months. Within a stone's throw of Third-ave. and One-hundred-and-tenth-st. are grouped three prosperous and well-organized Republican clubs: the German-American Republican Organization of the old XXIIId Assembly District, in Third-ave. near One-hundred-and-sixth-st.; the Irish-American Republican Club, in Third-ave. near One-hundred-and-ninth-st., and the James G. Blaine Club of Harlem, in One-hundred-and-tenth-st. near Lexington-ave. One year ago this part of Harlem was almost destitute of Republican organizations, and the Democratic leaders confidently and defiantly predicted that a Republican Club could not exist there, yet to-day there are three vigorous organizations doing good missionary work that will bring about some surprising changes on November 8. That one Republican club should have struggled into existence in the last year was a matter of serious comment on the part of the Democratic managers, but that three healthy Republican organizations should have sprung up within a stone's throw of each other, inside of ten months, is to the enemy a matter of direful foreboding.

It would seem at first sight that three such large Republican clubs so near together would conflict with each other in their work, but so admirable has been the management of this district that they are working in perfect harmony, each having a well-defined line of work laid out for it and each mutually aiding the other for the general success of the party. The James G. Blaine Club of Harlem came into existence last November with a membership of a dozen earnest young men. The first six months of the club's life was spent in various rooms of a lodge building in Third-ave., near One-hundred-and-tenth-st.; the club having no regular meeting-room for itself, but held its meetings in whatever room happened to be disengaged on its meeting night. Under these inauspicious beginnings the club struggled for a precarious existence and one night when meeting in the gymnasium of this lodge building it determined to take the bold step of hiring a clubhouse for itself. It was a daring proposition for so young a club, but the step was taken and now this club has the handsomest, best fitted and most convenient clubhouse in this part of Harlem, not excepting the long-established Democratic clubs. This club is pre-eminently a young men's club and it has all the buoyancy and confidence of youth and is making this rock-ribbed, Democratic welkin ring with the sounds of Republican doctrines.

The young men composing this club are not rich or even "well off," but are in moderate circumstances and they are looking after the young men of their district, the great majority of whom are similarly circumstanced. This club could not be better adapted for this work, as the lower part of Harlem is largely the home of young men in a like condition of life, and the clubhouse with its gymnasium, hot and cold water baths, and swimming baths, its bowling alleys, its billiard and pool room, library, reading and card rooms, is a powerful factor in inducing the young men of the neighborhood to join and eventually to become Republicans.

The Irish-American Republican Club, just around the corner in Third-ave., has been detailed to look after the Irish-American vote in this part of Harlem. The club has comfortable headquarters in Third-ave., the entire front of its building in Third-ave.) that will have a banner raising (an illumination that will cover the entire front of its building in Third-ave) that will make "Rome howl." Some "red hot" speakers (for nothing short of "red hot" will suit these Irish Republicans) will be on hand and not "The harp that once through Tara's halls" did sound, but the yells of Republican enthusiasm will make the Democratic walls in this part of Harlem resound over and over again.

Of the German-American Republican Organization of the old XXIIId Assembly District nothing need to said. It has always spoken for itself and the thorough campaign work that it is now doing will speak with sufficient emphasis on November 8. To this organization has been detailed the important work of looking after the German vote in the old district, and the German Republicans are thoroughly organized and are full of earnestness and determination to make a winning fight.

Beside other Republican organizations in the old XXIIId Assembly District there is the Italian Republican Club in Avenue A, which is supported by the most intelligent and influential Italians in Harlem and it is in a position to do some telling campaign work.

The Colored Republican clubs of Harlem also are in the fight to stay. They have had so many examples of Democratic misrule and faithlessness that they are going to show that the colored vote is an intelligent factor in city politics and that it cannot be hoodwinked by any plausible "tomfoolery."

MORE ADVERTISING THAN WAS EXPECTED.

Advertisers sometimes get more than they pay for, by no fault, however, of the ones who control the medium through which the advertising is done. A case of this kind came under the observation of the writer the other day. On the margin of the time table of a railroad company which carries large numbers of "commuters" was the advertisement of a patent medicine and where to get it. The "ad." had been carefully crossed out, however, with red ink. The writer learned accidentally that the advertiser's time had run out, and the notice on the time card had been crossed out for that reason on the schedules which remained on hand after the time was up for which the advertiser had paid.

The mere fact that the words were crossed out impelled dozens of persons to study them and make out through the ink blots what they were. It was simply the exercising of that quality in human nature which induces people to do that which they are forbidden doing. When they had the time card in their hands the knowledge came to them unconsciously that there had been something on that card which, for som reason, it had been deemed best that persons to whom the cards were given should not read. For the reason that it was something unknown it became mysterious, and, consequently, interesting. People would study over it and hold the card up to the light to decipher the blurred letters. When they did finally make them out the advertisement was deeply impressed upon their minds. The lucky compounders of patent medicines could not have secured more effective advertising, and the railroad company could not have more completely defeated its object in crossing out the advertisement.

NEW USES FOR THE BANANA.

FLOUR, SAUSAGES AND BEER TO BE MADE OF THE FRUIT, CLOTH OF THE SKIN AND INK AND VINEGAR OF THE JUICE.

The steamship Athos, of the Atlas Line, brought from Jamaica, West Indies, on her last trip to this city, several barrels of banana meal, which were sent to the Assistant Secretary of Agriculture at Washington. The Government is about to forward samples of the meal to all large growers of bananas in the United States, with a circular pointing out the great future there may be for this meal, which in farinaceous qualities is declared to be superior to any vegetable. Experiments have been made for years to develop the usefulness of the banana. Besides the United States, the Governments of Great Britain and Germany have interested themselves in this new and important industry, the former with a view of aiding its tropical colonies, and the latter because it sees in the banana a most nutritious sausage for feeding soldiers.

The meal is made from the unripe banana, and by the process now discovered will keep, it is maintained for it, as long as flour. The producing power of the banana is so great, forty-four times as great as the potato, that this new discovery is a most important one with regard to the price of that food, in which the poor are most interested, for it is confidently expected that the meal will soon lower the present price of the loaf. The German interest in manufacturing the banana into a sausage is also declared to be perfectly feasible. In this case the ripe banana is used and charged with condensed milk and then put up in tins. Already some of the largest canning factories have begun to make this commodity one of the features of their business. This banana-sausage is even more nutritious than the meat and is so easily transportable that on a campaign it will be almost invaluable. It has also been learned without a doubt that the banana meal can be used most successfully and economically in the manufacture of beer.

So much for the fruit of the banana. It has lately been discovered that the skin of the fruit is also valuable. First of all it gives a beautiful fibre from which a durable and fine cloth can be manufactured. The juice of the skin also gives an indelible ink and can be fermented into a good vinegar.

The great possibilities of the banana have interested some of the shrewdest capitalists of this city and it is known that a company with a large capital will be floated in a few days, having for its object the manufacture of the foregoing products from the banana. The development that this industry will give to the Southern States and to the West India islands will, it is expected, be immense, and it is known that much land favorable to the growth of the banana has been bought lately by Americans.

PIGEONS FOR SEA SERVICE.

EXPERIMENTS MADE WITH THE SWIFT BIRDS BY ARMY AND NAVY MEN.

The nations of Continental Europe, from Russia to little Switzerland, have their pigeon lofts as part of the military equipment. England and America as Governments, however, have not yet risen to the occasion, and all that has been done in this line has been at the individual expense and effort of those in the Army and Navy and by private citizens who have given their birds freely for the purpose. At one time it seemed possible that the Government would provide the means, and at the urgent entreaty of General Greely, as head of the Signal Service, a sum was appropriated which sufficed to feed and house the pigeons which pigeon flyers gave for the purpose. But when the Weather Bureau passed to the Department of Agriculture the matter rested. The pigeons and fixtures at the stations in the East were transferred to the Naval Academy at Annapolis, and the birds have since been used in a quiet way as messengers between ship and shore whenever opportunity offered.

When the Constellation left Annapolis on her summer cruise she carried thirty birds owned in Annapolis and Washington. These birds were let go at a distance varying from ten to 200 miles and all returned. One lot of three birds liberated 100 miles off Cape Henlopen delivered their messages in Washington four hours after leaving the vessel.

The experiment, although a success inasmuch as the messages sent were delivered in good time, was too limited to show what could have been done if birds from many centres instead of only two had been employed, and if there had been birds to spare for use regardless of atmospheric conditions.

The Constellation will make the return trip in August, and Captain Chester is willing to lend his aid to as full a test of the capabilities of the pigeon as the occasion will permit. That the interest may be extended and as a stimulus to the effort in providing competition, and as a trophy for meritorious service George W. Childs, of Philadelphia, has provided several gold leg bands, suitably marked, to be awarded for the best work at each centre to which birds return. The conditions of competition are:

1. One or more birds shall be started each morning, unless there is impenetrable mist or fog beyond the time limit, the birds selected for the day to be those at home nearest the point of liberation. 2. The number of birds used will be limited to thirty. These must be delivered, prepaid, to a given address in Newport, R. I., about August 10, with sufficient food for a week out. The messages received must be delivered with seal unbroken to a given address, and in the event of the return of the bird without message the countermark of the bird must be reported as proof of the arrival.

The course of the vessel may be arrived at by drawing a line from Newport to Cape Henry, Va. This will show that the vessel will be at no time over 100 miles from land.